

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DERRICK HARVEY,)	
)	
Petitioner,)	
)	
v.)	No. 4:05CV1383(CAS)
)	
ROBERT McFADDEN,)	
)	
Respondent.)	

ORDER OF DISMISSAL

IT IS HEREBY ORDERED that petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 [Doc. #1] is **DISMISSED**, without prejudice.

IT IS FURTHER ORDERED that if petitioner appeals from the dismissal of his § 2241 action, then a certificate of appealability shall not issue.

Dated this 11th day of October, 2005.



UNITED STATES DISTRICT JUDGE